



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

April 2, 2013

Mr. William E. Murphie
Portsmouth/Paducah Project Office
1017 Majestic Drive, Suite 200
Lexington, Kentucky 40513

Dennis Carr
Fluor-B&W Portsmouth, LLC
P.O. Box 548
Piketon, Ohio 45661

CERTIFIED MAIL
#70102780000197079710

**Re: Hazardous Waste Permit Modification
Class 1A
Approval
Portsmouth Gaseous Diffusion Plant
OH7890008983 / 04-57-0680**

Dear Messrs:

On March 15, 2013, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (130315-1A-1) from USDOE-Portsmouth Gaseous Diffusion Plant. With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

The following modification has been made to your March 25, 2011, Ohio Hazardous Waste Facility Installation and Operation Permit:

Change of reporting frequency from annual to biennial

The records of Ohio EPA have been changed accordingly. Attached is a copy of the permit application revisions. This has been included to ensure that all involved parties have written confirmation of the changes*.



If you have any questions concerning this action, please contact Melody Stewart at the Ohio EPA Southeast District Office.

Sincerely,

Mark Stello, Assistant District Office Chief
Southeast District Office

MS/MS/mr

*Also, in accordance with Ohio Administrative Code Rule 3745-50-51(D)(1)(a)(ii), the Permittee must send a notice within 90 days of an approved Class 1A Modification to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Jeremy A. Carroll, P.E., Manager, Regulatory and Information Services Section at (614) 644-2917, or by e-mail at jeremy.carroll@epa.state.oh.us.

cc: Dustin Tschudy, AAEU, DMWM, CO

ec: Scott Hester, Supervisor, AAEU, DMWM, CO
Melody Stewart, DMWM, SEDO
RCRAInfo Data Entry, DMWM, CO

On March 15, 2013, Ohio EPA received a request for a Class 1A (Class 1) hazardous waste permit modification (130316-1A-1) from USDOE-Portsmouth Gaseous Diffusion Plant. With this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-50-51.

The following modification has been made to your March 25, 2011, Ohio Hazardous Waste Facility Installation and Operation Permit:

Change of reporting frequency from annual to biennial.

The records of Ohio EPA have been changed accordingly. Attached is a copy of the permit application revisions. This has been included to ensure that all involved parties have written confirmation of the changes.

B.22 Operating Record

OAC Rule 3745-54-73

The Permittee shall comply with the requirements set forth in OAC Rule 3745-54-73 regarding an operating record, including information to be recorded and the maintenance thereof.

B.23 Contingency Plan Records

OAC Rules 3745-54-73 and 3745-54-56(J)

The Permittee shall note in the operating record the time, date, and details of any incident that requires the implementation of the contingency plan. Within fifteen (15) days after any such incident the Permittee shall submit to the Director a written report of the incident containing the elements set forth in OAC Rule 3745-54-56(J).

B.24 Manifest System

OAC Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76

In the management of waste at the facility the Permittee shall comply with the provisions of OAC Chapter 3745-52 and OAC Rules 3745-54-71, 3745-54-72 and 3745-54-76 with regard to the manifest system.

B.25 Biennial Reports and Additional Reports

OAC Rules 3745-54-75 and 3745-54-77

The Permittee shall comply with the Biennial report requirements set forth in OAC Rule 3745-54-75 and the additional report requirements set forth in OAC Rule 3745-54-77.

B.26 Closure Performance Standard

OAC Rule 3745-55-11

During facility closure, the Permittee shall implement the provisions of the approved closure plan, Section I in such a manner as to achieve compliance with OAC Rule 3745-55-11. Compliance with OAC Rule 3745-55-11 will be facilitated by referring to the Division of Hazardous Waste Management's most recent Closure Plan Review Guidance for RCRA facilities.

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B.27 Closure Plan
OAC Rules 3745-55-10, 3745-55-11 and 3745-55-13

The Permittee shall implement those procedures detailed within Section I of the approved Part B permit application, in accordance with OAC Rules 3745-55-10 through 3745-55-20.

B.28 Amendment of Closure Plan
OAC Rules 3745-55-12 and 3745-50-51

Should a change in the facility closure plan become necessary, the Permittee shall amend the closure plan in accordance with OAC Rule 3745-55-12 (C).

B.29 Content of Closure Plan
OAC Rule 3745-55-12

The Permittee shall maintain the approved closure plan at the facility which contains the elements set forth in OAC Rule 3745-55-12 and all elements required by the terms and conditions of this permit.

B.30 Notification of Closure
OAC Rule 3745-55-12

The Permittee shall notify the Director in writing at least 45 days prior to the date on which he expects to begin closure of a facility, as required by OAC Rule 3745-55-12(D).

B.31 Time Allowed For Closure
OAC Rule 3745-55-13

After receiving the final volume of hazardous or mixed waste, the Permittee shall remove from the facility all hazardous and mixed waste in accordance with the approved closure plan within ninety (90) days. The Director may approve a longer closure period, if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13(A). The Permittee shall complete all closure activities within one hundred eighty (180) days, in accordance with OAC Rule 3745-55-13. The Director may approve a longer closure period, if the Permittee complies with all applicable requirements for requesting a modification to the permit as set forth in OAC Rule 3745-55-13 (B).